

REMARKS

Claims 1-10 remain in the application, all claims standing rejected over prior art.

Reconsideration of the application and allowance of all claims are respectfully requested.

The present invention is directed to a method and device whereby a mobile terminal user can direct a command, e.g., a print command, to a network device located nearby. A goal of the invention is to relieve the user of the burden of scrolling through a long list of network devices to figure out which one is convenient. Accordingly, according to the invention, the user sends the command from the mobile terminal to the base station, the base station forwards the command to a computer on the network, and the computer figures out which network device is close to the user. In a cellular telephone network such as GSM, GPRS, UMTS, the cells are larger and cover significant geographical areas. In an internal cellular network (e.g., DECT, Bluetooth), the cells are much smaller. In either case, the base station to which the command is sent from the mobile terminal supplies at least part of the command to a computer which determines which cell the user is in and then forwards the command to a network device in that cell, since that will be near to the user.

Wang et al discloses a technique for converting a call from voice to fax. It is directed to an entirely different problem than the present invention. The examiner has tried to read the claim language on Wang et al, and there are certainly parts of the claim language that can be made to fit, but there are fundamental and critical claim limitations that the examiner is overlooking.

At page 2 of the office action, the examiner equates the claimed base station with the personal computer 102 of Wang et al. But the personal computer is not a base station of a

cellular communications system as that term is very well understood in the art. And claim 1 describes the base station as controlling a cell and recognizing a wireless communication device when active. There is no such function ascribed to the personal computer 102 of Wang et al. The personal computer is not shown as having any wireless capability and could not recognize when the wireless terminal is active, nor does the personal computer control a cellular telecommunications system cell.

The examiner subsequently describes the mobile terminal 104 of Wang et al as transmitting a radio signal to the base station, citing lines 57-59 of column 6. That passage describes a signal being transmitted to the base station 114. (114 is actually a reference number used in Fig. 2 to designate a wireless communication network infrastructure generally illustrated in Fig. 1 as Base Station Controller 112 and Mobile Switching Center 120, as described at lines 54-59 of column 3). The claim next requires that the command be forwarded to a computer, and that the computer applies rules to select a network device resident in the cell controlled by the base station that received the command from the wireless mobile device. The examiner equates this with the forwarding of the Wang et al command to the CPU 610, and points to the fax device 124 in Fig. 1 of Wang et al as a device located in the same cell controlled by the base station. But there is nothing in Wang et al that describes the fax machine 124 as being located in the cell controlled by the base station 114 (or 112 in Fig. 1). To the contrary, the fax machine 124 is the destination of the fax being sent from the mobile terminal, and could be anywhere. Fig. 1 simply shows it as being connected to the PSTN.

The existence of more than one cell is a significant limitation in claim 1, because the goal of the invention is to select a network device which is close to the user, and the cell the user is

located in is what is used in the preferred embodiment at least as a coarse filter to determine what is close. Likewise, the application of selection rules for this purpose is a significant part of claim 1. The examiner acknowledges in the middle of page 3 of the Office action that these features are not taught in Wang et al.

The examiner relies on Mohebbi to teach the two cells and application of rules, but this reliance is misplaced. Mohebbi does teach a network having different base stations. Applicants do not claim to have invented this. Nor is there anything new about selecting the best base station amongst plural candidate base stations for carrying on communications with a mobile device. But that concept is completely different from what is disclosed and claimed in the present case. Applying the teaching of Mohebbi to Wang et al might result in Wang et al having plural cells and monitoring the relative strengths of signals between the mobile terminal and each of the different cell base stations and then choosing which base station to use in communicating with the mobile unit. But regardless of which base station is used, the fax from the mobile would still be sent to the fax machine identified by the destination fax number provided from the mobile unit. In Wang et al, the mobile unit chooses the destination fax machine. According to the present invention, the mobile unit does not choose the destination machine, but instead that choice is made by the rules applied by the computer which receives the command from the base station.

The selection made by the present invention is not the selection of a base station to use, as in Mohebbi. The present invention passes a command from the mobile through a base station, and then after that point, i.e., *after* any choice of base stations by Mohebbi, chooses a network device depending on the base station used. There is no suggestion anywhere in either Wang et al

or Mohebbi of choosing a destination for the Wang et al fax from the mobile terminal depending on the particular base station used.

Since neither Wang et al nor Mohebbi teach or suggest applying rules at a computer to select a terminal device resident in the same cell as the wireless telecommunications device at the time the process command was generated by the wireless telecommunications device, it is submitted that the subject matter of claim 1 and all of its dependent claims patentably distinguishes over the prior art.

Claims 9 and 10 stand rejected for obviousness over Wang et al in view of Baker et al (USP 6,195,545). This rejection is also traversed.

Baker et al teaches a system in which a mobile user is able to use the more advanced capabilities of a fixed network device, e.g., a deskset phone that has better call handling capabilities such as videophone capability of conferencing, etc. As the mobile user moves around the enterprise, the mobile is temporarily “associated” with a complex system terminal. The association may be triggered in several ways. As described at the top of column 9, it may be the result of a user dialing a Directory Number choosing the deskset. As described at lines 14-18 of column 2 and lines 5-7 of column 9, the temporary association may be established based on a determination of the proximity of the mobile terminal to the other terminal. As described in more detail at lines 1-23 of column 10, this proximity-based registration can occur automatically, without user input.

Claim 9 has now been amended to incorporate the subject matter of claim 2, directed to the feature of the invention whereby the wireless user is presented with a list of terminal devices to choose from if there are multiple candidate terminal devices co-located in the same cell as the

Amendment Under 37 CFR 1.116
USSN 09/875,890

mobile terminal, with the user then selecting from amongst the available terminal devices. This is neither shown nor suggested in Baker et al where the user must either know the telephone number of the deskset or the selection is made automatically based on proximity.

Entry of the above amendment is respectfully requested in that it simply incorporates the subject matter of an already-existing claim into claim 9, and therefore neither raises new issues or adds new matter, and for the further reason that the amendment clearly places claims 9 and 10 in condition for allowance..

.In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: March 14, 2006

/DJCushing/
David J. Cushing
Registration No. 28,703